IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
Writ Petition No. 417 of 2004 (S/S)

Ompal Singh,
s/o Shri Pitambar Singh,
R/o Sehkari Ganna Vikas Samiti Ltd.,
Iqbalpur, Roorkee, District Haridwar. ……. Petitioner

Versus

State of Sugarcane Service Authority
Uttaranchal,
Through its Secretary,
District Dehradun & others. …….. Respondents

Mr. Sharad Sharma, Advocate for the petitioner.
Mr. J.P. Joshi, Addl. Chief Standing Counsel for the State of Uttaranchal.

Coram: Hon. Cyriac Joseph, C.J.
Hon. Rajesh Tandon, J.

ORAL JUDGMENT: (Per Hon'ble the Chief Justice)

1. The petitioner filed this writ petition challenging Annexure 2 Order by which he was transferred from Iqbalpur to Luksar. In view of the interim orders passed in this case, the impugned transfer could not be given effect to. The main grievance of the petitioner against the impugned transfer was that disciplinary proceedings initiated against him were pending and the transfer, at that stage, would make it difficult for the petitioner to participate in the disciplinary proceedings. Admittedly, the departmental proceedings have been concluded and final order has already been passed. Therefore, the ground raised by the petitioner against the impugned transfer does not exist any more. Hence, we do not find any valid reason to interfere with the impugned order of transfer.

2. Therefore, the writ petition is dismissed. However, we make it clear that it will be open to the second respondent to consider whether the impugned transfer should be given effect to at this stage.

(Rajesh Tandon, J.) **(Cyriac Joseph, C.J.)**
07.06.2005 **07.06.2005**

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